

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
In Open Court
USDC, Mass.
Date 10-28-05
By K.F.

STEVEN McDERMOTT,
Plaintiff,

vs.

FED EX GROUND SYSTEMS, INC.,
Defendant.

Civil Action No.: 04-CV-12253

RULE 16.1 (D) JOINT STATEMENT

Statement of the Case

This action arises from a multiple vehicle motor vehicle accident which occurred on February 7, 2003 on State Highway 84 in Milford Pennsylvania. The plaintiff alleges that, shortly after a multiple truck accident in a snow storm, a tractor trailer truck owned by the defendant Fed Ex Ground Systems, Inc. and operated by Timothy Pruitt, a citizen of Mississippi negligently struck the plaintiff's truck, causing him permanently disabling personal injuries.

The defendant, Fed Ex Ground Systems, Inc, denies that either it or Mr. Pruitt were negligent and, further, contests the nature and extent of the plaintiff's alleged injuries and damages.

Since the accident occurred in central Pennsylvania, most, if not all of the fact witnesses, including investigating officers are located out of Massachusetts. Since the plaintiff resides in Massachusetts, most, if not all of the medical witnesses are in state. Transfer of venue issues therefore remain pending.

Proposed Joint Discovery Plan

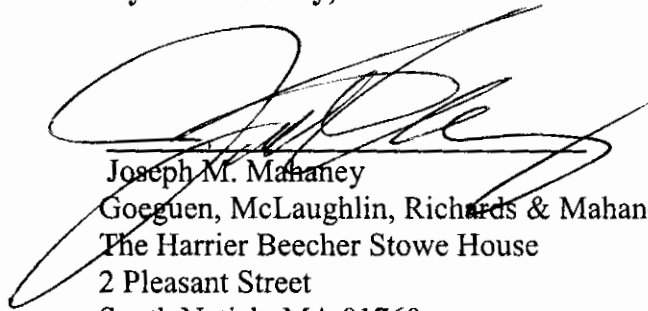
The parties propose the following discovery plan:

1. Written discovery and non-expert depositions completed by July 3, 2006.
2. Plaintiff's experts disclosed by August 30, 2006.
3. Defendant's experts disclosed by October 2, 2006.
4. Expert depositions completed by December 15, 2006.
5. Case Management Conference on January 8, 2007.

Plaintiff reserves right to amend

STEVEN MCDERMOTT

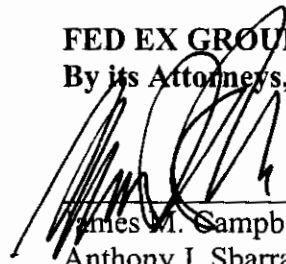
By His Attorney,



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FED EX GROUND SYSTEMS, INC.

By its Attorneys,



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